

DISTRICT OF COLUMBIA  
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ALCOHOLIC BEVERAGE CONTROL BOARD  
+ + + + +  
MEETING

IN THE MATTER OF:	:
	:
H & R, LLC	:
t/a Exotic Hookah Lounge	: Fact-
2409 18th Street, NW	: Finding
Retailer CR - ANC-1C	: Hearing
License No. 97382	:
	:
(Application for a New License)	:

January 28, 2015

The Alcoholic Beverage Control Board met in the Alcoholic Beverage Control Hearing Room, Reeves Building, 2000 14th Street, N.W., Suite 400S, Washington, D.C. 20009, Chairperson Ruthanne Miller, presiding.

PRESENT:

RUTHANNE MILLER, Chairperson  
NICK ALBERTI, Member  
DONALD BROOKS, Member  
MIKE SILVERSTEIN, Member  
HECTOR RODRIGUEZ, Member  
JAMES SHORT, Member

1 P-R-O-C-E-E-D-I-N-G-S

2 11:06 a.m.

3 CHAIRPERSON MILLER: Okay. The last  
4 case on the morning calendar is a Fact-Finding  
5 Hearing involving Exotic Hookah Lounge located at  
6 2409 18th Street, N.W., License No. 97382, in ANC-  
7 1C. It involves an application for a new CR  
8 License.

9 Is someone from Exotic Hookah Lounge  
10 here? Are you from -- no. Let me just check.

11 MEMBER ALBERTI: It's a Fact-Finding,  
12 how can we go forward?

13 CHAIRPERSON MILLER: We'll find some  
14 facts.

15 MEMBER ALBERTI: From whom?

16 CHAIRPERSON MILLER: I mean all these  
17 people -- well, okay, who is here for this Fact-  
18 Finding case? Oh, good morning.

19 MEMBER ALBERTI: Yes, we have some  
20 people --

21 CHAIRPERSON MILLER: Are you here from  
22 the Hookah Lounge?

1 MS. AZEZE: Yes.

2 CHAIRPERSON MILLER: Okay. We just  
3 called your case. Do you want to come to the  
4 table?

5 MS. AZEZE: Okay. Our consultant  
6 should be here in a second.

7 CHAIRPERSON MILLER: Who is that?

8 MS. AZEZE: Jermaine.

9 CHAIRPERSON MILLER: Okay. Good. We  
10 can wait then. Why don't you just put on the  
11 record who you are, so --

12 MS. AZEZE: My name is Rahel Azeze.

13 CHAIRPERSON MILLER: Rahel what?  
14 Azeze?

15 MS. AZEZE: Yes.

16 CHAIRPERSON MILLER: Okay. And you  
17 are?

18 MS. GEBREMEDHIN: Helen Gebremedhin.  
19 Helen.

20 CHAIRPERSON MILLER: Okay. Got it.  
21 Are you the owners?

22 MS. AZEZE: Yes.

1 CHAIRPERSON MILLER: Okay. And your  
2 consultant is where?

3 MS. AZEZE: He was just with us. Like  
4 that's his suitcase.

5 CHAIRPERSON MILLER: Oh, do you think  
6 he is in the hall? Do you want to see if he is  
7 there?

8 MS. AZEZE: Maybe.

9 CHAIRPERSON MILLER: Okay.

10 MS. AZEZE: Sure.

11 CHAIRPERSON MILLER: Okay. Okay.  
12 Good morning. And would you identify yourself  
13 for the record, please? They already did  
14 actually.

15 MR. MATTHEWS: Jermaine Matthews,  
16 Exotic Hookah Lounge.

17 CHAIRPERSON MILLER: Okay. And Mr.  
18 Hager is here with a video.

19 All right. So very briefly, you  
20 submitted an application for a restaurant  
21 license, alcohol license. And so we have your  
22 application and it raises a question as to

1       whether you actually have a kitchen.

2                   MS. AZEZE:   Yes, I do have a kitchen  
3       space that we're working on the things that we  
4       need to put --

5                   MEMBER SILVERSTEIN:   Please bring that  
6       microphone closer and speak into it.

7                   MS. AZEZE:   Oh.   I do have a kitchen  
8       and we do have a kitchen, but we are working on  
9       buying equipment for the kitchen.

10                  MEMBER SILVERSTEIN:   Thank you.

11                  CHAIRPERSON MILLER:   Okay.   And what  
12       is your time frame?

13                  MS. AZEZE:   At the moment?

14                  CHAIRPERSON MILLER:   For getting the  
15       equipment for the kitchen.

16                  MS. AZEZE:   Two more weeks.

17                  CHAIRPERSON MILLER:   Two weeks or so?

18                  MS. AZEZE:   Yes.

19                  CHAIRPERSON MILLER:   And I'm asking  
20       you these questions because this is as of now, we  
21       don't have enough information to give you a  
22       liquor license necessarily.

1 MS. AZEZE: Okay.

2 CHAIRPERSON MILLER: That's why we are  
3 having a Fact-Finding Hearing because there is a  
4 question about whether you have a kitchen. So  
5 what kind of equipment have you ordered?

6 MS. AZEZE: I can't hear you.

7 CHAIRPERSON MILLER: What kind of  
8 equipment have you ordered?

9 MS. AZEZE: A stove and fridge and  
10 freezer.

11 CHAIRPERSON MILLER: Okay.

12 MS. AZEZE: And I don't know what it's  
13 called, we have --

14 MR. MATTHEWS: Utensils, pots and  
15 pans. Utensils to go along with the kitchen  
16 equipment that they currently ordered. They also  
17 have the stainless steel tables that also go into  
18 the kitchen also on order.

19 CHAIRPERSON MILLER: Okay. And how  
20 big is the kitchen?

21 MS. AZEZE: How big is it? I mean,  
22 the whole place is 1,000 square feet.

1 CHAIRPERSON MILLER: Okay.

2 MEMBER ALBERTI: How large?

3 MR. MATTHEWS: 1,000.

4 MEMBER ALBERTI: 1,000 square feet?

5 MS. AZEZE: Yes.

6 MEMBER ALBERTI: Okay.

7 CHAIRPERSON MILLER: Okay. Let me  
8 just ask you this because I'm not sure how this  
9 works exactly, but when you were told to come in  
10 for this Fact-Finding Hearing, were you told that  
11 that was the issue?

12 MS. AZEZE: Yes.

13 CHAIRPERSON MILLER: Okay. So do you  
14 have any other information you want to put on the  
15 record now about this kitchen that you intend to  
16 have?

17 MS. AZEZE: Okay. I have a question  
18 as far as is this -- is it the only thing that is  
19 holding up from getting the liquor license is  
20 that we not having a kitchen?

21 CHAIRPERSON MILLER: Oh, I really  
22 can't say. I really don't know, but this is the

1 one issue that we are having the Fact-Finding  
2 Hearing about. We don't always have Fact-Finding  
3 Hearings and so this --

4 MR. MATTHEWS: I mean, we have some  
5 other things that we need to do as far as the  
6 application goes and that's what I was just  
7 arranging with Ms. Jenkins, Pat Jenkins, so we  
8 could sit down and go over that today with the  
9 application, also.

10 CHAIRPERSON MILLER: Okay. Okay.

11 MEMBER SHORT: Madam Chair?

12 CHAIRPERSON MILLER: Yes, Mr. Short?

13 MEMBER SHORT: Good morning.

14 MS. AZEZE: Good morning.

15 MEMBER SHORT: You have a business  
16 license now with the city, correct?

17 MS. AZEZE: (No audible answer.)

18 MEMBER SHORT: What is that business  
19 license?

20 MS. AZEZE: A restaurant license.

21 MEMBER SHORT: A restaurant. So you  
22 have a kitchen now, but you are ordering a stove



1 and a refrigerator and utensils. So what do you  
2 prepare food on right now with your license that  
3 you currently have with the city?

4 MS. AZEZE: We are not selling food  
5 right now.

6 MEMBER SHORT: Excuse me?

7 MS. AZEZE: We are not.

8 MEMBER SHORT: So you are a  
9 restaurant, but you don't sell food?

10 MS. AZEZE: Um-hum.

11 MEMBER SHORT: Well, kindly explain  
12 that to me, please.

13 MS. AZEZE: Okay.

14 MEMBER SHORT: The definition of  
15 restaurant is a place where people come and buy  
16 food.

17 MS. AZEZE: Yes.

18 MEMBER SHORT: So you don't sell food,  
19 but you are a restaurant?

20 MS. AZEZE: We have a restaurant  
21 license/cigarette retail store license, so we  
22 sell like coffee, teas and regular beverages that

1 won't be normally opened. But as far -- and  
2 hookah. So as far as the food, after we finish  
3 like preparing our kitchen, we are going to start  
4 selling food.

5 MEMBER SHORT: But you want an ABC  
6 liquor license even before you even get the  
7 kitchen in? Is that what you are saying?

8 MS. AZEZE: Yes.

9 MEMBER SHORT: Well --

10 MS. AZEZE: I mean, we are trying to  
11 get liquor license and also sell food at the same  
12 time.

13 MEMBER SHORT: Okay. Tell me -- help  
14 me a little bit. How long have you been in  
15 business with this license that you have now?

16 MS. AZEZE: With the license that I  
17 have right now?

18 MEMBER SHORT: Yes, with the  
19 restaurant license.

20 MS. GEBREMEDHIN: A month.

21 MS. AZEZE: A month or two, two  
22 months.

1                   MEMBER SHORT: You've been in business  
2 for two months, but you haven't sold any food. So  
3 what do you do? What do you do to raise money  
4 now in your business?

5                   MS. GEBREMEDHIN: We sell the hookah,  
6 a tobacco hookah and regular beverages like water  
7 and coffee, tea.

8                   MEMBER SHORT: Okay. I'll ask the  
9 question again. Under the definition of  
10 restaurant, the definition that let's say the  
11 District Government holds when you get a permit  
12 from the Department of Consumer and Regulatory  
13 Affairs, a restaurant says you sell food. And  
14 there is a certain amount of food that you must  
15 sell to have that occupancy permit.

16                  MEMBER ALBERTI: Yes.

17                  CHAIRPERSON MILLER: Okay. Well --

18                  MS. AZEZE: Oh, to sell food.

19                  MEMBER ALBERTI: There is no sales  
20 requirements.

21                  MR. MATTHEWS: That's not a --

22                  MEMBER SHORT: Oh, okay. Not a

1 problem. Okay. So let me rephrase that. We  
2 have a lot of businesses in town who have, and  
3 maybe that's the problem for the Government and  
4 for our communities, a license to do one thing,  
5 but they are doing another thing. So if you are  
6 not selling food as a restaurant and you have  
7 hookah pipes and you have -- how many people do  
8 you normally have when you open up?

9 MS. AZEZE: (No audible answer.)

10 MEMBER SHORT: What's your cliental  
11 per night, occupancy?

12 MS. AZEZE: 40, 30.

13 MR. MATTHEWS: 30 to 40 people, she  
14 said.

15 MEMBER SHORT: Normally?

16 MR. MATTHEWS: Normally.

17 MEMBER SHORT: And what nights are you  
18 open?

19 MS. AZEZE: Every day.

20 MR. MATTHEWS: Every night.

21 MEMBER SHORT: You're open every  
22 night, seven days a week. And 30 to 40 people--

1 MS. AZEZE: Friday and Saturdays,  
2 weekdays is slow. Weekdays we only get a couple.  
3 We don't get much people.

4 MEMBER SHORT: Okay. That's what I  
5 was trying to get a figure of. What is your  
6 occupancy permit, allow you to have in your  
7 restaurant? How many people?

8 MS. AZEZE: 72.

9 MR. MATTHEWS: 72.

10 MEMBER SHORT: 72 people?

11 MR. MATTHEWS: Correct.

12 MEMBER SHORT: So you are half-full  
13 every night that you are open now for the last  
14 month?

15 MR. MATTHEWS: Well, she is saying  
16 that on Sunday through Thursday, they are light.  
17 They don't get that many people. But on Friday  
18 and Saturday, they normally have 30 to 40  
19 patrons.

20 MEMBER SHORT: Okay. I'm just trying  
21 to get a picture of what is going on. I know  
22 it's a quite busy area there and again, we have

1 several restaurants, but it doesn't seem like  
2 there is a lot of food selling going on. So  
3 thank you very much. That's all I have, Madam  
4 Chair.

5 CHAIRPERSON MILLER: Mr. Rodriguez?

6 MEMBER RODRIGUEZ: Yes. Welcome to  
7 the ABC Board. I know a little bit about Adams  
8 Morgan. I think it's a great community and I'm  
9 happy to see businesses there that employ people  
10 and all these things, but I have a few questions  
11 for you about your liquor application.

12 As you know, there has been some  
13 abuses in this community about restaurants who  
14 then morph into nightclubs and the community has  
15 a lot of concern about that and so does the  
16 Board.

17 I have a few questions for you.  
18 Number one, I was looking at your application.  
19 In the section of No. 18 that says give a  
20 detailed explanation as to what effect your  
21 establishment would have on real property values  
22 on the relevant locality, what portion, and your

1 answer is in this application that you will have  
2 a good effect on the property values.

3 Tell me what that means. What is a  
4 good effect on the property values with your -- I  
5 assume that your liquor application will have a  
6 good effect on the property values. Tell me how  
7 you -- what your answer means on that, a good  
8 effect.

9 MR. MATTHEWS: You want me to answer  
10 that or her?

11 MEMBER RODRIGUEZ: I want -- are you  
12 the attorney?

13 MR. MATTHEWS: I'm their agent.

14 MEMBER RODRIGUEZ: Their what?

15 MR. MATTHEWS: Their agent.

16 MEMBER RODRIGUEZ: The?

17 MR. MATTHEWS: Agent.

18 MEMBER RODRIGUEZ: Agent.

19 MS. AZEZE: Yes.

20 MEMBER RODRIGUEZ: I would like the  
21 owners to answer this.

22 CHAIRPERSON MILLER: Yes, right.

1       Okay.

2                   MEMBER RODRIGUEZ: I would like the  
3 owners to answer this.

4                   MS. AZEZE: I mean, I think our  
5 establishment will have a positive effect. Can  
6 you hear me?

7                   MEMBER RODRIGUEZ: No. I can hear you  
8 better now.

9                   MS. AZEZE: Oh, okay. I said I think  
10 our establishment will have a positive effect as  
11 far as around the neighborhood or around other  
12 establishments around there, because we don't  
13 sell anything illegal or we don't sell anything  
14 that is out of the ordinary.

15                   We only -- right now, at the moment,  
16 we are only selling -- we don't have the -- I  
17 don't know how to put it together. We don't have  
18 the right -- we don't have a time that we have to  
19 actually close in a certain amount of time, so we  
20 do make like regular beverages and hookah to get  
21 to being a restaurant.

22                   And after we start selling food and



1 liquor, we are hoping to be in a better place.

2 MEMBER RODRIGUEZ: So if -- you are  
3 not selling food right now, right, okay?

4 MS. AZEZE: That's all --

5 MEMBER RODRIGUEZ: I'm having a hard  
6 time understanding how you can be a restaurant  
7 like some of my colleagues are. Let me look at  
8 your application a little further.

9 On your application you had that you  
10 would be -- that you would have a positive, a  
11 good effect on the peace and order and quiet.

12 CHAIRPERSON MILLER: Can I stop you  
13 for a second?

14 MEMBER RODRIGUEZ: Yes.

15 CHAIRPERSON MILLER: I just want to  
16 stop here because what I said earlier was that  
17 this hearing, we thought, was going to focus just  
18 on whether or not they actually were a  
19 restaurant.

20 MEMBER RODRIGUEZ: Okay.

21 CHAIRPERSON MILLER: Because when we  
22 get to a protest, then we get into those areas.

1 MEMBER RODRIGUEZ: Okay, Madam Chair.

2 CHAIRPERSON MILLER: So I don't want  
3 us to go off in the direction that I said we  
4 weren't going to go.

5 MEMBER RODRIGUEZ: I will accept your  
6 directive.

7 CHAIRPERSON MILLER: Okay.

8 MEMBER RODRIGUEZ: I just want to, you  
9 know, deal with my concerns, but that will be at  
10 another time, but my concern then is if you are  
11 not -- if you are a restaurant, why aren't you  
12 serving food? That's my question.

13 MR. MATTHEWS: Part of the reason is  
14 that they don't have a kitchen currently and they  
15 are in the process of taking care of that. And  
16 then, you know, I mean, not to ease your mind  
17 any, once they do get open and operating, if they  
18 allowed a liquor license, I mean, they will be --  
19 they will work hand-in-hand with MPD as long as--  
20 as well as ABRA Investigators. They won't have  
21 an issue with that.

22 MEMBER RODRIGUEZ: No more questions

1 right now.

2 MR. MATTHEWS: I can get direct  
3 numbers to ABRA Hotline if needed and also with  
4 MPD who they need to contact in the precinct.  
5 They wouldn't have an issue with peace, order and  
6 quiet or notifying MPD or any other Agency when  
7 they have issues that are out of their control.

8 CHAIRPERSON MILLER: Okay. Let's  
9 just --

10 MEMBER RODRIGUEZ: Okay.

11 CHAIRPERSON MILLER: -- focus what we  
12 are here for. Yes, Mr. Alberti?

13 MEMBER ALBERTI: Yes. Good morning.  
14 Thank you for coming. So you stated earlier that  
15 you are now installing a kitchen. Was there --  
16 when you came -- when you bought this place and  
17 occupied it, was there -- was it a shell? Did  
18 you build it out?

19 MS. AZEZE: It was just empty.

20 MEMBER ALBERTI: Empty. And so you  
21 built it out. All right. Did you anticipate  
22 putting in a kitchen when you built it out?

1 MS. AZEZE: Um --

2 MEMBER ALBERTI: Or are you now having  
3 to come back in and make sure you do all of that  
4 construction work --

5 MS. AZEZE: No.

6 MEMBER ALBERTI: -- to put in the  
7 facilities to support a kitchen?

8 MS. AZEZE: No. We already planned to  
9 make it a kitchen. We make the kitchen  
10 everything, you know. We fix everything. The  
11 only thing we don't have the equipment for the  
12 kitchen.

13 MEMBER ALBERTI: So you have put in --

14 MS. AZEZE: We are trying to make  
15 money to --

16 MEMBER ALBERTI: Okay.

17 MS. AZEZE: -- put in the kitchen.

18 MEMBER ALBERTI: So wait. So did you  
19 put in gas lines? You put in plumbing lines for  
20 a kitchen when you built out originally?

21 MS. AZEZE: We put the sink and we  
22 fixed the walls, everything.

1 MEMBER ALBERTI: Okay. Okay. So I'm  
2 assuming you have -- you got permits from DCRA to  
3 do all this work. Is that correct?

4 MS. AZEZE: Um.

5 MEMBER ALBERTI: Yes?

6 MS. AZEZE: Yes.

7 MR. MATTHEWS: Someone else is  
8 handling that.

9 MEMBER ALBERTI: I don't care. Do you  
10 have permits? My question is do you --

11 MR. MATTHEWS: I can't say --

12 MEMBER ALBERTI: I don't care who is  
13 handling it.

14 MR. MATTHEWS: Currently no, they  
15 don't have the permits to do it. Someone is  
16 taking care of that for them. That's all I was  
17 trying to explain.

18 MEMBER ALBERTI: Oh, so it's not  
19 happening in the next two weeks. What I heard  
20 earlier -- no, wait, let me finish. I heard  
21 earlier it was happening in two weeks.

22 MR. MATTHEWS: But --

1                   MEMBER ALBERTI: I know -- let me  
2 finish. Let me finish, so you know where I'm  
3 coming from. Just so you know where I'm coming  
4 from, then you can respond.

5                   I know very well how DCRA operates and  
6 I can envision the amount of work that goes in to  
7 installing a kitchen. So maybe my assumption is  
8 false, but I'm assuming right now that it's going  
9 to take much more than two weeks even to get  
10 permits. And then you can't start the work for  
11 two weeks and it takes -- the last time I knew,  
12 it took more than two weeks to install a  
13 kitchen --

14                  MS. AZEZE: I was actually --

15                  MEMBER ALBERTI: -- from the date the  
16 permits were issued. So what's the time line  
17 here?

18                  MS. AZEZE: As I was saying, it was to  
19 get our stuff.

20                  MEMBER ALBERTI: To get what stuff?

21                  MS. AZEZE: The stuff we ordered.  
22 It's not about starting the food.

1 MEMBER ALBERTI: Oh, so you can't even  
2 install it? You can get it, but you can't  
3 install it right away, right?

4 MS. AZEZE: Um-hum.

5 MEMBER ALBERTI: What do you mean?  
6 Yes? What was that?

7 MS. AZEZE: We have to find somebody  
8 to install it.

9 MEMBER ALBERTI: You have to get  
10 permits first, right?

11 MS. AZEZE: Yes.

12 MEMBER ALBERTI: Okay. Have you  
13 applied for permits?

14 MS. AZEZE: I have somebody who is  
15 taking care of that.

16 MEMBER ALBERTI: Have they applied for  
17 permits?

18 MS. AZEZE: I don't know if they  
19 submitted it, but they already --

20 MEMBER ALBERTI: You hired someone to  
21 take care of permits.

22 MS. AZEZE: Yes.

1 MEMBER ALBERTI: Where is that? Have  
2 they applied yet?

3 MS. AZEZE: Yes, in my understanding,  
4 they did, but I don't know if they already sent  
5 it out or not.

6 MEMBER ALBERTI: So you don't know  
7 whether they submitted it to DCRA or not?

8 MS. AZEZE: Yes.

9 MEMBER ALBERTI: Okay. That's my  
10 question. Okay. All right.

11 Madam Chair?

12 CHAIRPERSON MILLER: Yes.

13 MEMBER ALBERTI: What I would suggest  
14 -- for one thing, I'm not finished yet here, but  
15 what I would suggest is that we get the permit  
16 application materials from these folks before we  
17 move forward in considering this license.

18 And what I'm expecting to see there,  
19 just so you know, I will expect to see a diagram  
20 of the interior with the kitchen space laid out,  
21 so that I can examine, okay, you know, what is  
22 the feasibility of having a full-running kitchen



1 in this establishment? It's only 1,000 square  
2 feet. I would like to be able to see that for  
3 myself.

4 So I would like to see the  
5 construction materials and we can follow-up if  
6 they are not sufficient, but I'm fairly confident  
7 that if we have what DCRA is getting, that we  
8 will have the information that we need.

9 Do you have a menu?

10 MS. AZEZE: Yes.

11 MEMBER ALBERTI: Can you provide us  
12 with a menu?

13 MS. AZEZE: Right now? I mean, I  
14 can --

15 MEMBER ALBERTI: Some time within the  
16 next week. Can you within the next week provide  
17 us with a menu?

18 MS. AZEZE: Yes.

19 MEMBER ALBERTI: Okay. Great. Those  
20 are the two things --

21 CHAIRPERSON MILLER: I think we need--

22 MEMBER ALBERTI: -- Ms. Miller, that

1 I would like to see before I do give any further  
2 consideration to this license.

3 CHAIRPERSON MILLER: I think --

4 MEMBER SHORT: Madam Chair, just to  
5 piggyback on that, you are going to have a  
6 commercial kitchen, so you just have what they  
7 call a hood and duct system. And that has to be  
8 vented to the outside. Do you have space on your  
9 rooftop for that already?

10 MS. AZEZE: There is space for that,  
11 yes.

12 MEMBER SHORT: You have hood and duct?

13 MS. AZEZE: No.

14 MEMBER ALBERTI: Mr. Short, that  
15 should be shown on the DCRA diagram, so we will  
16 know exactly from that DCRA diagrams --

17 MEMBER SHORT: All right.

18 MEMBER ALBERTI: -- what is being  
19 installed.

20 CHAIRPERSON MILLER: Okay. Can I just  
21 say just to piggyback on what Mr. Alberti said, I  
22 think those are most valuable, the permits and

1 the diagrams. I don't think we need a menu in a  
2 week. I think we can -- you could submit that at  
3 the same time, I would think, if other Board  
4 Members -- that's going to be -- yes, go ahead.

5 MEMBER SILVERSTEIN: Do you have a  
6 hookah license from DOH, from the Department of  
7 Health?

8 MS. AZEZE: Yes, we applied for that.

9 MEMBER SILVERSTEIN: I'm sorry?

10 MS. AZEZE: We are waiting for it. We  
11 applied for it. We are in the process of --

12 MEMBER SILVERSTEIN: You have applied  
13 for it.

14 MS. AZEZE: -- waiting.

15 MEMBER SILVERSTEIN: You are in the  
16 process.

17 MS. AZEZE: Yes.

18 MEMBER SILVERSTEIN: Okay.

19 MS. GEBREMEDHIN: But they told us we  
20 can operate until we get the license.

21 MEMBER ALBERTI: Well, wait. You  
22 don't have a hookah license?

1 MR. MATTHEWS: Hookah, they are not  
2 currently giving licenses right now.

3 MEMBER ALBERTI: Pardon?

4 MS. AZEZE: They are not.

5 MR. MATTHEWS: They are not giving  
6 licenses right now. Everything over there is  
7 still runs slowly.

8 MEMBER ALBERTI: I saw a website that  
9 showed people smoking hookah at this place.

10 MS. AZEZE: Yes.

11 MR. MATTHEWS: There is people smoking  
12 hookah in several restaurants with no hookah  
13 license.

14 MEMBER ALBERTI: Pardon?

15 MR. MATTHEWS: There is people smoking  
16 hookah in several restaurants with no hookah  
17 licenses.

18 (Simultaneous speaking.)

19 MEMBER ALBERTI: I don't care. They--

20 MR. MATTHEWS: But one of --

21 MEMBER ALBERTI: -- are not before us.

22 MR. MATTHEWS: -- the problems --

1 MEMBER ALBERTI: Mr. Matthews, that's  
2 irrelevant. They are not before me for --

3 CHAIRPERSON MILLER: Yes.

4 MEMBER ALBERTI: They are not before  
5 me for a license today.

6 MR. MATTHEWS: I understand that, but  
7 can I explain what is going on with DOH with the  
8 problems that people are running in to. The same  
9 thing that these folks are running in to.

10 MEMBER ALBERTI: Mr. Matthews, I don't  
11 drive without a license. So if the DMV is shut  
12 down or they are not doing their job, I don't  
13 drive without a license.

14 MR. MATTHEWS: I understand.

15 MEMBER ALBERTI: Do you understand?

16 MR. MATTHEWS: No problem.

17 MEMBER ALBERTI: Thank you.

18 CHAIRPERSON MILLER: Is DOH allowing  
19 smoking --

20 MS. AZEZE: Yes.

21 CHAIRPERSON MILLER: -- of hookah  
22 pipes without a license?

1 MS. AZEZE: Yes, if you have a  
2 restaurant.

3 CHAIRPERSON MILLER: Are they allowing  
4 that?

5 MS. AZEZE: If you have a restaurant  
6 license, you can.

7 MS. GEBREMEDHIN: You can serve  
8 hookah.

9 MS. AZEZE: You can.

10 CHAIRPERSON MILLER: If you have what  
11 kind of license?

12 MS. AZEZE: You need exemption for  
13 hookah. There is a hookah license.

14 CHAIRPERSON MILLER: Right.

15 MS. AZEZE: So to get the exemption,  
16 you have to apply. We already applied.

17 CHAIRPERSON MILLER: Okay.

18 MS. AZEZE: It takes up to almost --  
19 it has been almost a year.

20 CHAIRPERSON MILLER: Okay. Okay.

21 MS. AZEZE: Since we applied.

22 MEMBER SHORT: But, Madam Chair, they

1 are saying they are working with an application.  
2 They have an application for hookah, but you  
3 don't have a permit for hookah.

4 MS. GEBREMEDHIN: No, you still can't  
5 sell hookah, that's why they say we need to  
6 submit the application. If you have restaurant  
7 license, you can sell hookah.

8 MS. AZEZE: We already have submitted  
9 application, that's in the process.

10 MEMBER SHORT: Okay. Let me ask this  
11 question. I put in an application to get a  
12 driver's license.

13 MS. AZEZE: Yes.

14 MEMBER SHORT: I don't take the test.  
15 Do I drive until I get my license?

16 MS. AZEZE: I know, but the situation  
17 is different.

18 MS. GEBREMEDHIN: It's different.

19 MS. AZEZE: Because to get the license  
20 for -- I mean, there is no license for hookah,  
21 but to get -- to be exempted, it takes time.

22 MEMBER SHORT: I understand.

1 MS. AZEZE: So while you are --

2 MEMBER ALBERTI: Gotcha.

3 MS. AZEZE: -- in the process of to  
4 get exemption, you can sell hookah.

5 MEMBER ALBERTI: I apologize for going  
6 down that road.

7 CHAIRPERSON MILLER: Okay. Let's --

8 MEMBER ALBERTI: That's not in our  
9 purview.

10 CHAIRPERSON MILLER: All right. Now,  
11 Mr. Hager has been sitting here very patiently  
12 for a while, so I want to say that it's my  
13 understanding that the Agency got a video about  
14 or related to your business. What kind of food  
15 you are serving or not serving or what is going  
16 on.

17 MEMBER ALBERTI: I don't know, do we  
18 need to see this?

19 CHAIRPERSON MILLER: I don't know. I  
20 don't know whose -- if somebody's video it is  
21 that's in the audience, I don't know if they want  
22 to get it shown or --



1                   MEMBER ALBERTI: Yes. Ms. Miller, I  
2 am not sure there is a purpose in seeing the  
3 video now. I mean, I'm not sure what purpose it  
4 is going to show of anything. And I mean, we can  
5 -- I certainly see this as something under Agency  
6 possession. We can look at it later after we get  
7 more information from these folks about the  
8 status of their kitchen facilities, if we need to  
9 see the video, we can take a look at it. I'm not  
10 sure we need to see it now.

11                  CHAIRPERSON MILLER: Mr. Hager, do you  
12 know or have any more information as to what it  
13 is about?

14                  MEMBER RODRIGUEZ: Oh, yes.

15                  MR. HAGER: I haven't really reviewed  
16 the videos thoroughly. All I know is they are  
17 posted to the establishment's Facebook page.

18                  CHAIRPERSON MILLER: Oh, okay. So you  
19 know what -- if they are posted to the Facebook  
20 page, you know what they are. Okay.

21                  MEMBER ALBERTI: I will --

22                  CHAIRPERSON MILLER: My concern is--

1                   MEMBER ALBERTI:  -- admit, Ms. Miller,  
2                   I have seen them.

3                   CHAIRPERSON MILLER:  Oh.

4                   MEMBER ALBERTI:  If those are the  
5                   Facebook videos, I have seen them.

6                   MR. HAGER:  Yes.

7                   CHAIRPERSON MILLER:  Okay.  Because my  
8                   concern was if we were going to look at a video  
9                   and you didn't have a chance to say something  
10                  about it, you should have that chance.  So you  
11                  know what is on the video then.

12                  MS. AZEZE:  Okay.

13                  CHAIRPERSON MILLER:  And I hear Board  
14                  Members saying we don't really need to look at it  
15                  right now, because there are other things missing  
16                  that we would need to, you know, determine  
17                  whether your kitchen, such as the permit is  
18                  showing that you are having all this kitchen work  
19                  done.  Okay.  Okay.  Is there anything you want  
20                  to say about that video in the event that the  
21                  Board looks at it?

22                  MS. AZEZE:  I don't know what

1 particular video it is, because there are a lot  
2 of videos.

3 CHAIRPERSON MILLER: Okay. I am going  
4 to ask you this then, because in the event that  
5 we look at it --

6 MEMBER ALBERTI: Ask her.

7 CHAIRPERSON MILLER: I would take --  
8 if you are concerned that we see it without your  
9 comment, I would say we should play it right now.

10 MS. AZEZE: Yes.

11 CHAIRPERSON MILLER: So if you are not  
12 concerned, it's up to you, but in five minutes  
13 Mr. Hager has it set up.

14 MS. AZEZE: We are not concerned.

15 CHAIRPERSON MILLER: You are not  
16 concerned. Okay.

17 MR. MATTHEWS: They are not saying  
18 they are not concerned.

19 MS. AZEZE: I mean, I don't --

20 MR. MATTHEWS: They just don't  
21 understand why --

22 CHAIRPERSON MILLER: Why did they get

1 it?

2 MR. MATTHEWS: Right. The purpose of  
3 it.

4 MS. AZEZE: The purpose?

5 CHAIRPERSON MILLER: I think -- I  
6 haven't seen this video. My understanding is it  
7 was the purpose that somebody in the community  
8 said hey, they are not operating as a restaurant.  
9 See, there is a video.

10 MR. MATTHEWS: Right. And I thought  
11 that's what the purpose of being here at the  
12 Fact-Finding, so we could clear up some things  
13 and I mean, give us a time frame, so we could  
14 submit the documents that you are asking for from  
15 the drawings to show the kitchen and the permits  
16 also. We just asking for a time frame.

17 CHAIRPERSON MILLER: Okay.

18 MR. MATTHEWS: I mean, I'm pretty much  
19 sure they have seen these videos before  
20 theirselves.

21 CHAIRPERSON MILLER: Okay. So there  
22 is no issue with that and Board Members don't

1 have a concern about seeing it now, right?

2 MEMBER RODRIGUEZ: No.

3 CHAIRPERSON MILLER: Okay. So our  
4 concern, you know, with the things, you know, Mr.  
5 Hager, the things --

6 MEMBER ALBERTI: I just think it's a  
7 waste of time.

8 CHAIRPERSON MILLER: That's fine.

9 MEMBER ALBERTI: You know, we can all  
10 individually go watch the Facebook video.

11 CHAIRPERSON MILLER: I think --

12 MEMBER ALBERTI: I don't think it adds  
13 -- I have seen it. I don't think it adds to this  
14 hearing.

15 CHAIRPERSON MILLER: Okay. Okay. So  
16 I had a quick question before we say the next  
17 steps. And that is on your application, you  
18 said, No. 15, that you -- describe the nature of  
19 operation, including the type of food served.  
20 And in response you say serving sandwiches and  
21 cold food. Okay.

22 Does that mean you are serving cold

1 sandwiches? I mean, sandwiches and cold food now  
2 while you don't have a kitchen or does that mean  
3 that's what your plan is going to be? And if so,  
4 why do you need a stove?

5 MS. AZEZE: No. At first we were  
6 trying to apply for tavern license without  
7 selling food, but the ANC told us that we need to  
8 sell -- we need to have a restaurant to be able  
9 to sell liquor. So then we came to the  
10 understanding with my agent that we should apply  
11 as a deli first.

12 And then after that, we had to apply  
13 for a restaurant license.

14 MR. MATTHEWS: They applied for a  
15 restaurant license instead of a deli license.

16 CHAIRPERSON MILLER: Okay.

17 MR. MATTHEWS: And that's the purpose  
18 of going through the process now to get the  
19 kitchen put in.

20 CHAIRPERSON MILLER: Okay. All right.  
21 So in the meantime, you are not selling any food?  
22 This is just -- okay. This is your application

1 for the CR.

2 MS. AZEZE: Right.

3 CHAIRPERSON MILLER: So I would say  
4 then and other Board Members can add anything  
5 else, but based on -- piggybacking on what Mr.  
6 Alberti said, we would -- we need proof that you  
7 are actually going to be a restaurant. Okay?  
8 Because there are a lot of reasons for doubt. As  
9 of now, you don't have a kitchen.

10 So we need you to submit your plans,  
11 which would be your layout, you know,  
12 architectural plans, whatever plans for a  
13 kitchen. Your permits. I think we would like to  
14 know even you are heading that way, so if you  
15 could submit, what do you think, the applications  
16 of the permits.

17 I don't think we would approve --  
18 well, I don't know. We need the permits to --

19 MEMBER ALBERTI: I would like to see  
20 all the permitting materials.

21 CHAIRPERSON MILLER: So the  
22 applications as well?

1 MEMBER ALBERTI: Yes, everything they  
2 are submitting to DCRA, they can submit to us  
3 also.

4 CHAIRPERSON MILLER: Okay.

5 MEMBER ALBERTI: No big deal.

6 CHAIRPERSON MILLER: The time frame,  
7 I mean, I don't know where you are. I mean, we  
8 are not --

9 MEMBER ALBERTI: Well, the time frame  
10 is on them.

11 CHAIRPERSON MILLER: Yes.

12 MEMBER ALBERTI: We are not going to  
13 consider --

14 CHAIRPERSON MILLER: We are not going  
15 to be --

16 MEMBER ALBERTI: -- this license  
17 until --

18 CHAIRPERSON MILLER: Right.

19 MEMBER ALBERTI: -- they have that  
20 material in. And what's --

21 CHAIRPERSON MILLER: We are under the  
22 impression living in the city and whatever that



1 it takes a while to get permits. So you should  
2 let us know. You don't have any permits. Let us  
3 know --

4 MR. MATTHEWS: I might take over the  
5 permit process.

6 CHAIRPERSON MILLER: What?

7 MR. MATTHEWS: I might just take over  
8 the permitting process --

9 CHAIRPERSON MILLER: Okay.

10 MR. MATTHEWS: -- from the current  
11 data that they have of doing the permits.

12 CHAIRPERSON MILLER: Okay.

13 MR. MATTHEWS: Because we can get the  
14 permits in our hand in a timely manner.

15 CHAIRPERSON MILLER: Okay. So as  
16 quickly as you can get them, then we will have  
17 the material we need to approve. But we need  
18 proof in this case that there really is a kitchen  
19 there.

20 MEMBER ALBERTI: And the menu.

21 CHAIRPERSON MILLER: And the menu. I  
22 was saying, I don't think the menu has to come in

1 in a week, because --

2 MEMBER ALBERTI: I don't care when it  
3 comes in.

4 CHAIRPERSON MILLER: -- the permits  
5 are going to take -- yes.

6 MEMBER ALBERTI: At this point.

7 CHAIRPERSON MILLER: That's right. So  
8 when you --

9 MEMBER ALBERTI: I'm not moving  
10 forward until I see it.

11 CHAIRPERSON MILLER: Exactly.

12 MEMBER ALBERTI: So --

13 CHAIRPERSON MILLER: Exactly.

14 MEMBER SHORT: In fact, Madam Chair,  
15 that should be a whole package. Just not one  
16 permit at a time. All permits that are needed  
17 for a restaurant should come in one package along  
18 with the menu, so we don't get one piece one week  
19 and another piece another week.

20 MS. AZEZE: Okay.

21 CHAIRPERSON MILLER: So we are going  
22 to wait until they get all the permits.

1 MEMBER ALBERTI: Yes.

2 MEMBER SHORT: All them, yes.

3 MEMBER ALBERTI: Yes.

4 CHAIRPERSON MILLER: Okay. Not just--  
5 then you can do it in one time then. I didn't  
6 know whether you wanted the applications first.  
7 Okay.

8 MR. MATTHEWS: Are you asking for all  
9 of the permits?

10 CHAIRPERSON MILLER: For the kitchen.

11 MR. MATTHEWS: I mean, once we get the  
12 drawings, once the -- well, the drawings are  
13 done.

14 CHAIRPERSON MILLER: Yes.

15 MR. MATTHEWS: But you know, it goes  
16 through a phase at DCRA. They don't give you all  
17 the permits at one time.

18 CHAIRPERSON MILLER: Exactly, exactly.

19 MR. MATTHEWS: Sure, no problem.

20 CHAIRPERSON MILLER: So what we are  
21 saying is --

22 MR. MATTHEWS: So not at DCRA, but

1 Zoning.

2 MEMBER ALBERTI: Right.

3 MR. MATTHEWS: It's no problem.

4 MEMBER ALBERTI: Right. But if you  
5 have the bulk of that material and you give it to  
6 us, then we can take a look at it.

7 MR. MATTHEWS: I mean, currently, it's  
8 just the drawings. I mean, they got to go  
9 through the process --

10 CHAIRPERSON MILLER: That's right.

11 MR. MATTHEWS: -- down there.

12 MEMBER ALBERTI: Fine. Then if -- you  
13 know, if it's not enough material, we will come  
14 back to you, but submit what you think your  
15 understanding of what we are asking for.

16 MR. MATTHEWS: I'm going to submit  
17 what you asked for.

18 CHAIRPERSON MILLER: Which would be  
19 the --

20 MR. MATTHEWS: Everything.

21 CHAIRPERSON MILLER: -- permits,  
22 right.

1 MR. MATTHEWS: On time.

2 CHAIRPERSON MILLER: Right.

3 MEMBER ALBERTI: Right.

4 CHAIRPERSON MILLER: Okay. That would  
5 be good.

6 MEMBER ALBERTI: I understand. Right,  
7 right. You might want to submit this stuff  
8 before the permits are actually approved and  
9 that's fine.

10 MR. MATTHEWS: I don't want to go  
11 through that again and go back and make  
12 corrections to certain things.

13 MEMBER ALBERTI: But you can submit  
14 the application, right?

15 MR. MATTHEWS: I'll just -- but the  
16 bulk of stuff like Mr. Short was saying, if we  
17 submit that and we have to go back to make  
18 corrections, then we are back and forth again.

19 CHAIRPERSON MILLER: Right.

20 MR. MATTHEWS: We will try and give  
21 you everything.

22 MEMBER SHORT: Can I, please --

1 MEMBER ALBERTI: Okay.

2 MEMBER SHORT: Madam Chair? If I were  
3 to give you a set of drawings right now that  
4 aren't approved and you cannot build with those,  
5 you can only build after you get approved plans.

6 CHAIRPERSON MILLER: I agree. So  
7 don't waste your time.

8 MEMBER SHORT: Yes. Don't give us  
9 drawings without approvals.

10 MR. MATTHEWS: We are not giving you  
11 the drawings. What I'm saying is that a lot of  
12 times you can do the drawings they approve, but  
13 they will say you need to make a correction if it  
14 goes to the Health Department. They say oh, you  
15 need to make a correction here.

16 MEMBER SHORT: That's right. Because  
17 they don't want you to have an unhealthy  
18 business.

19 MR. MATTHEWS: All right. We are  
20 trying to give you everything at one time.

21 CHAIRPERSON MILLER: Okay.

22 MR. MATTHEWS: Like you asked for.

1 CHAIRPERSON MILLER: That's fine. And  
2 there is no reason to rush it here, because it's  
3 going to take time to install it once you get --

4 MR. MATTHEWS: No problem.

5 CHAIRPERSON MILLER: -- the permits.  
6 So --

7 MR. MATTHEWS: No problem.

8 CHAIRPERSON MILLER: -- I think we are  
9 most interested in the permits and the diagram  
10 that goes with it. So when you get that, submit  
11 it and we will consider the application. Okay?

12 Anything else?

13 MEMBER SILVERSTEIN: No. Thank you.

14 CHAIRPERSON MILLER: Any questions?  
15 If you have questions, you can ask Ms. Jenkins  
16 also.

17 MS. AZEZE: Thank you.

18 CHAIRPERSON MILLER: All right. Good  
19 luck. Thank you.

20 MR. SIMPSON: Madam Chair?

21 CHAIRPERSON MILLER: Yes?

22 MR. SIMPSON: An opportunity to --

1 CHAIRPERSON MILLER: Oh, I'm sorry.  
2 Come on. You can come forward. Were you  
3 finished? Yes, you can come forward. I'm sorry,  
4 I didn't know you wanted to speak. I would like  
5 you to come to a table where there is a  
6 microphone. I think we are not using the video,  
7 yes. I'm sorry, I thought you were just  
8 listening.

9 MR. SIMPSON: No, thank you.

10 CHAIRPERSON MILLER: Okay. When you  
11 are ready, would you identify yourselves for the  
12 record?

13 MR. SIMPSON: Billy Simpson, Chair of  
14 ANC-1C.

15 MR. GUTHRIE: Ted Guthrie, Chair of  
16 ABC Committee for ANC-1C.

17 MR. JAMES: Denis James, President of  
18 Kalorama Citizens Association.

19 MS. AUBRUN: Benedicte Aubrun for the  
20 Reed-Cooke Neighborhood Association.

21 CHAIRPERSON MILLER: Okay. So you  
22 know the question that we had the Fact-Finding



1       Hearing on is, you know, whether they have a  
2       kitchen and what we heard is that they don't have  
3       one now, but they are intending to have one and  
4       it's in the works. So what would you like to say  
5       with respect to that?

6               MR. SIMPSON: I have a number of  
7       comments on behalf of the --

8               CHAIRPERSON MILLER: Okay.

9               MR. SIMPSON: -- ANC. We have  
10      protested the license and we will pursue that in  
11      the normal course. We were grateful that the  
12      Board saw fit to schedule this Fact-Finding  
13      Hearing and we have all of the same concerns that  
14      you have raised about the status of the  
15      establishment.

16              I wanted to take just a minute and put  
17      this into the context of Adams Morgan generally  
18      and specifically the recent moratorium ruling.

19              We took a big risk, and I personally  
20      took a big risk, on the ANC in pushing forward  
21      with fellow commissioners this desire to open the  
22      community to new restaurant licenses.

1           We think some very good things will  
2       come of that. We have already had a very  
3       positive experience with, for example, Donburi  
4       applying for an alcohol license. That's exact --  
5       the Donburi case is a perfect example of how  
6       things should work. Someone who comes to the  
7       community, opens a true restaurant, knows their  
8       commitment and having proven that, then comes to  
9       the Board and says it would be great to be able  
10      to sell alcohol along with the food that we  
11      serve.

12           In contrast, we have significant  
13      concerns about this application. This seems to  
14      be exactly the opposite of the Donburi case.  
15      Exactly what we feared could potentially happen  
16      as an abuse to our willingness to open up the  
17      moratorium for restaurant licenses.

18           They have acknowledged today that  
19      their desire was to have a tavern license in the  
20      first instance. It is clear their desire is to  
21      sell alcohol and that they are going to now do  
22      whatever minimal steps are required by relevant

1 District Government agencies to then achieve the  
2 necessary license to do so.

3 You know, perhaps somewhere along the  
4 line they will change their view and really try  
5 to become a bona fide restaurant, but right now,  
6 we are sincerely worried.

7 I was actually disappointed you didn't  
8 look at the video. It shows a nightclub in  
9 operation. A nightclub without alcohol, fine,  
10 but a nightclub. It's people dancing. It's neon  
11 lights. It's not a restaurant.

12 This establishment is not new in Adams  
13 Morgan. It has been here for many years. They  
14 haven't been in the entire time, my understanding  
15 is that they were managers at the previous  
16 establishment and have taken over ownership and  
17 have continued to run it as it has always been  
18 run.

19 We already have complaints from  
20 business owners in the community who have long-  
21 suffered from the adverse impacts of this  
22 establishment on the street. They don't want to

1 be here in person because it's difficult to speak  
2 up. But we have -- as the Board moves forward in  
3 considering this, please, don't give us another  
4 NY NY Diva, I guess would be my comment and I'm  
5 worried that that's where we are headed.

6 MR. GUTHRIE: I just have a procedural  
7 question.

8 CHAIRPERSON MILLER: Yes.

9 MR. GUTHRIE: If you are not going to  
10 be entertaining the application until you receive  
11 certain materials, what does that do to the  
12 protest process? We currently have a date that  
13 we are supposed to be showing up to check the  
14 status on everything.

15 At that point in time, we are supposed  
16 to set mediation dates and we are supposed to be  
17 working toward getting a resolution. And so we  
18 need to have some clarity as to when we have to  
19 show up. And please don't make us show up if  
20 it's not going to be productive. Thank you.

21 CHAIRPERSON MILLER: Right. Well,  
22 actually, that's why we had this hearing to see

1       whether or not the protest --

2                   MEMBER RODRIGUEZ:   Right.

3                   CHAIRPERSON MILLER:   -- could go  
4       forward on the same schedule.   So we will get  
5       back to you.

6                   MR. GUTHRIE:   But as of now, we should  
7       treat the date that was placarded as the date  
8       that we need to show up for status?   Is that what  
9       you are telling me?

10                  CHAIRPERSON MILLER:   As of this  
11       minute.

12                  MR. GUTHRIE:   Okay.

13                  CHAIRPERSON MILLER:   But we will let--

14                  MR. GUTHRIE:   We will be advised  
15       otherwise.   Okay.

16                  CHAIRPERSON MILLER:   Exactly.

17                  MR. GUTHRIE:   Thank you.

18                  CHAIRPERSON MILLER:   Right.

19                  MR. JAMES:   The Kalorama Citizens  
20       Association protest is on our meeting.   We  
21       haven't filed a letter yet, but I expect to file  
22       it in the next day or so.

1 I share Mr. Simpson's concerns  
2 totally. You know, it's like amateur hour. We  
3 have never served any food before, but now that  
4 we can get a full CR License, you know, we are  
5 going to start serving food. I sincerely -- I  
6 mean, I hope that they can -- maybe if they hire,  
7 you know, the right personnel, they will know how  
8 to sell food that people will want to buy.

9 But I've got just such sincere doubts  
10 about their ability to meet either of the  
11 requirements in the law, you know, in this kind  
12 of a setting. It's just I would have a lot more  
13 confidence if they were a preexisting restaurant.

14 CHAIRPERSON MILLER: Yes.

15 MR. JAMES: Also, the question of the  
16 DOH process is really a big one for us. And I  
17 don't know if your Agency could get together with  
18 that agency and figure something out, because to  
19 get an exemption, you have to show a certain  
20 percentage of your income is dependent on the  
21 sale of tobacco.

22 MR. SIMPSON: 25 percent.

1 MR. JAMES: Okay. Mr. Simpson just  
2 informed me it's 25 percent. I wasn't sure, so I  
3 didn't say. So if you are -- 25 percent of your  
4 gross sales are that and you need to have 45  
5 percent of your gross sales being food, you know,  
6 then you wonder what the alcohol part is going to  
7 be and if that's -- if you are going to be able  
8 to make the food and it just really opens up some  
9 funny situations.

10 And also, you know, it's smoking in a  
11 restaurant that never existed before the alcohol  
12 -- before the smoking law went into effect. It's  
13 -- I don't understand where we are with that, but  
14 it really poses a problem that you can sort of  
15 get retroactive permission to have tobacco or  
16 similar products in an ABC restaurant when nobody  
17 else can.

18 Like Perry's can't or, you know what  
19 I mean? Just to throw out somebody who has been  
20 there for a very long time. It's an uneven  
21 playing field.

22 CHAIRPERSON MILLER: Thank you. Okay.

1 MS. AUBRUN: Yes. I would like you to  
2 ask the Board if it can show the video to the  
3 ANC, KCA and RCNA. I have to report to my  
4 executive board. Not everybody has a Facebook  
5 account.

6 MEMBER SILVERSTEIN: Please pull the  
7 microphone closer to you.

8 MS. AUBRUN: Not everybody has a  
9 Facebook account and I know that my board is very  
10 concerned about giving a new license to  
11 establishments. And for that reason, I really  
12 ask the Board to reconsider the fact that we  
13 could -- to show the video to us right now before  
14 we move on. Thank you.

15 And I share the same concern as the  
16 ANC and the KCA as well.

17 CHAIRPERSON MILLER: Okay. Okay. I'm  
18 going to say this. Mr. Hager has already gone  
19 and we can't really conduct our hearings in order  
20 to accommodate your group in seeing it. So I'm  
21 sure there is some other way you might be able to  
22 see that video. I just can't say that we can now



1 switch again and get Mr. Hager in here, etcetera.

2 Okay. I have one other question for  
3 you all, based on some of their comments.

4 Sometimes when we have had questions  
5 about other establishments whether or not they  
6 had a bona fide kitchen, etcetera. And we have  
7 asked for information about, you know, who is the  
8 -- what are the plans for a cook or a chef or a  
9 contract for that?

10 MS. AZEZE: Yes.

11 CHAIRPERSON MILLER: So I think that  
12 might be an additional piece of information for  
13 you to include in your package to us if you want  
14 to, you know, show us that you actually are going  
15 to be a bona fide restaurant with a kitchen.  
16 Okay. Any other questions? Mr. Brooks?

17 MEMBER BROOKS: Yes. I think to  
18 piggyback on what you just said, Madam Chair, is  
19 I would like to know if you do identify a cook,  
20 what experience he has had and where has she or  
21 he worked before.

22 MR. MATTHEWS: We will put that all in

1 the information that we submit.

2 MEMBER BROOKS: Okay. Great.

3 MR. MATTHEWS: Like the cook and all  
4 of that, his experiences or her experiences --

5 MEMBER BROOKS: Great.

6 MR. MATTHEWS: -- when we submit the  
7 other information, the permits and the drawings.

8 MEMBER BROOKS: Okay. Thank you.  
9 Thank you, Madam Chair.

10 CHAIRPERSON MILLER: Okay. So one  
11 other comment about your submission. You know,  
12 we said, you know, whenever you have everything  
13 submitted. If you know ahead of time just like  
14 when we might expect it, just a note on that  
15 would be fine. You may not know, but it may be  
16 even the community to know that well, this is  
17 going to take DCRA says, you know, two months  
18 before we get to your drawings. That's an  
19 exaggeration maybe, maybe, but --

20 MR. MATTHEWS: No, that's not an  
21 exaggeration.

22 CHAIRPERSON MILLER: Right. Okay.

1 Just so people or we all have an idea of the time  
2 frame.

3 MR. MATTHEWS: I'll speak with the guy  
4 who is currently handling the permits --

5 CHAIRPERSON MILLER: Okay.

6 MR. MATTHEWS: -- and licenses to see  
7 how far along he has got.

8 CHAIRPERSON MILLER: Yes.

9 MR. MATTHEWS: I can get back with --

10 CHAIRPERSON MILLER: Ms. Jenkins?

11 MR. MATTHEWS: -- Martha Jenkins.

12 CHAIRPERSON MILLER: Right.

13 MR. MATTHEWS: Some time this week,  
14 Thursday, tomorrow or Friday.

15 CHAIRPERSON MILLER: Oh, that would be  
16 great. Okay. Anything else? Anything else?  
17 Well, thank you all for coming down. This was  
18 very useful.

19 MR. MATTHEWS: Thank you.

20 CHAIRPERSON MILLER: Okay.

21 MR. JAMES: Thank you.

22 CHAIRPERSON MILLER: Okay. Okay. So

1       that concludes the Board's calendar for this  
2       morning and we will be back this afternoon with  
3       our agendas.

4                       (Whereupon, the Fact-Finding Hearing  
5       in the above-entitled matter was concluded at  
6       11:50 a.m.)

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